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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STEVEN WYNN, ELAINE WYNN,
WYNN RESORTS LIMITED AND
WYNN RESORTS L.L.C.

Plaintiffs,

vs.

LEXINGTON INSURANCE COMPANY, and
ALLIED WORLD ASSURANCE COMPANY (US)
INC.,

Defendants.

X

Civil Action No. 07 CV 7604 (NRB) (MHD)

STIPULATION AND
ORDER FOR DISCOVERY
SCHEDULE

X

WHEREAS, Plaintiffs served on Defendants a summons and complaint (the "Complaint") on or about August 7, 2007, filed in the Supreme Court of New York, County of New York;

WHEREAS, Defendants have removed said action to this Court by way of Notice of Removal, filed and served on August 27, 2007;

WHEREAS, Defendants filed with this Court and served on the Plaintiffs an Answer and Additional Defenses on or about January 30, 2008;

WHEREAS, Plaintiffs filed and served on Defendants its First Amended Complaint on or about April 22, 2008; and

WHEREAS, Defendants have not yet answered or moved in response to Plaintiffs' First Amended Complaint;

IT IS HEREBY AGREED THAT:

1. Defendants Response to Plaintiffs First Amended Complaint:

a) Defendants shall answer or move no later than September 30, 2008, in response to ¹⁵ *MEAS* Plaintiffs' First Amended Complaint.

2. Non-Expert Discovery:

a) **Fact Discovery End-Date:** The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. All non-expert discovery is to be completed no later than ^{January 15} *April 20*, 2009, which date shall not be adjourned except upon a showing of good cause and further order of the Court. Interim deadlines for specific discovery activities may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.

b) **Document Discovery:** Document production or inspection between and amongst the parties to this action shall be completed no later than ^{October 15} *November 12*, 2008. *MEAS*

c) **Written Discovery:** Written disclosures such as interrogatories or requests for admission shall be completed by no later than ^{December 15} *December 19*, 2008. ^{MEAS} *MEAS*

d) **Third Party Document Discovery:** All third party document discovery shall be completed by no later than February 20, 2009.

e) **Deposition Discovery:** All party depositions shall be completed by no later than ^{December 1, 2008} *March 20*, 2009. All third-party depositions shall be completed by no later than ^{January 15} *April 20*, 2009. *MEAS*

3. Expert Discovery:

a) **Expert Reports:** Any and all expert reports shall be completed and served on all parties to this action no later than ^{February 27} *June 10*, 2009. *MEAS*

b) **Expert Discovery End Date:** Any and all expert depositions and/or non-trial testimony shall be completed by no later than ^{March 31} *July 20*, 2009. *MEAS*

4. Dispositive Motions:

a) **Dispositive Motion Procedure:** Upon the conclusion of non-expert discovery, and no later than the deadline provided below, the parties may file dispositive motions. The parties shall agree to a schedule, and promptly submit same for the Court's approval, providing for no more than three rounds of serving and filing papers: supporting affidavits and briefs, opposing affidavits and briefs, and reply affidavits and briefs.

MPB b) Dispositive Motion Deadline: Any and all dispositive motions shall be filed no later than August 20, 2009.

Aug 8

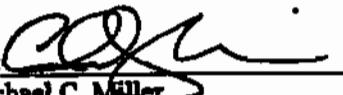
Dated: New York, New York
August 26, 2008

BUCHANAN INGERSOLL &
ROONEY PC

By: 
Barry I. Slotnick
Stuart P. Slotnick
Anna Fretel
New York Times Building
620 8th Avenue, 23rd Floor
New York, New York 10018
Tel: (212) 440-4400

Attorneys for Plaintiffs
Steven Wynn, Elaine Wynn
Wynn Resorts Limited, and
Wynn Resorts L.L.C.

STEP TOE & JOHNSON, LLP

By: 
Michael C. Miller
Evan Glassman
Christopher J. Marino
750 Seventh Avenue, Suite 1900
New York, New York 10019
Tel: (212) 506-3900

Matthew J. Herrington
(admitted pro hac vice)
1330 Connecticut Avenue, NW
Washington, D.C. 20036
Tel: (202) 429-3000

Attorneys for Defendants
Lexington Insurance Company and
Allied World Assurance
Company (US) Inc.

Dated *September 2, 2008*

SO ORDERED:

Naomi R. Buchwald
Hon. Naomi R. Buchwald, U.S.D.J.